

of the State of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Supplement No. 40***

FIFTY-NINTH LEGISLATURE

Monday, March 7, 2005

57th Day - 2005 Regular

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House Bills

HB 1076-S by House Committee on Higher Education (originally sponsored by Representatives Kenney, Rodne, Sells, Quall, Dickerson and Morrell; by request of Governor Locke)

Establishing the college in the high school program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) Many high school students who wish to earn college credits are unable to participate in the running start program because they live in areas that do not have local colleges; and some students who would like to earn college credits while in high school do not participate in running start because they do not want to leave their high school campus in order to do so.

(2) Some high schools are currently working with colleges to offer dual credit courses on high school campuses to serve those students. However, there is no established statewide program or funding provided, so rules governing these programs vary and high school students pay varying amounts to cover the colleges' costs of working with high schools to offer the classes.

Declares an intent to authorize the college in the high school pilot program to study its viability for expanding dual enrollment options for Washington state high school students.

Directs the superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board to, in consultation with the institutions of higher education, and consistent with national standards, jointly develop and adopt rules governing the college in the high school pilot program. The rules shall allow for selection of up to six pilot sites where college in the high school program courses will be offered for three consecutive academic years beginning not later than the 2006-07 academic year. At least four of the pilot sites shall be in rural school districts where students have limited or no options for participation in the running start program.

Provides that, by December 1, 2009, the superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board shall report to the legislature regarding the college in the high school pilot program.

-- 2005 REGULAR SESSION --

Mar 1 HE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1083-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Blake, Buck, Wallace, DeBolt, Grant, Hinkle, Takko, Flannigan, Armstrong, Kristiansen, B. Sullivan, Newhouse, Pettigrew, Quall, Linville, Eickmeyer, Kessler, Chase and Pearson)

Improving the efficiency and predictability of the hydraulic project approval program. Revised for 1st Substitute: Concerning the hydraulic project approval program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the hydraulic project approval provides critical protections for fish and fish habitat and is a key component of the state's approach to salmon recovery.

Finds that the hydraulic project approval is the only state permit solely intended to protect fish life.

Finds that the hydraulic project approval program needs to be redesigned to provide better customer service, improved consistency, and enhanced compliance and effectiveness monitoring.

Declares an intent to clarify the department of fish and wildlife's authority under chapter 77.55 RCW, streamline the application process to provide consistency and predictability for permit applicants, and ensure that those hydraulic projects with the highest potential risk to fish and fish habitat receive the highest priority.

-- 2005 REGULAR SESSION --

Mar 1 NREP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1159-S by House Committee on Judiciary (originally sponsored by Representatives Kirby and Priest)

Limiting liability for persons working with liquefied petroleum gas.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person who sells at retail, supplies, handles, or transports liquefied petroleum gas is not liable for civil damages for injury, wrongful death, or loss of property caused by the use of liquefied petroleum gas equipment or a liquefied petroleum gas appliance when: (1) The equipment or appliance was being used in a manner or for a purpose other than its intended use or in a manner or for a purpose that was not foreseeable and could not have been expected; and

(2) The use was without the person's actual or constructive knowledge.

-- 2005 REGULAR SESSION --

Mar 2 JUDI - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 1393-S by House Committee on Housing (originally sponsored by Representatives Buri, Grant, Cox, B. Sullivan, Condotta, Dunshee and Chase)

Regulating movement of older mobile homes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires, for mobile homes constructed before June 15, 1976, and already situated in the state: (1) A certification from the department of labor and industries that the mobile home was inspected for fire safety; or

(2) An affidavit in the form prescribed by the department of community, trade, and economic development signed by the owner stating that the mobile home is being

moved by the owner for his or her continued occupation or use: or

(3) A copy of the certificate of ownership together with an affidavit signed under penalty of perjury by the certified owner stating that the mobile home is being transferred to a wrecking yard or similar facility for disposal.

Provides that, by January 1, 2006, the department of labor and industries shall also adopt procedures for notifying destination local jurisdictions concerning the arrival of mobile homes that failed safety inspections.

Requires that, if the mobile home was manufactured prior to June 15, 1976, the registered owner must sign an affidavit in the form prescribed by the department of licensing that notice was provided to the purchaser of the mobile home that failure of the mobile home to meet federal housing and urban development standards or failure of the mobile home to meet a fire and safety inspection by the department of labor and industries may result in denial by a local jurisdiction of a permit to site the mobile home.

-- 2005 REGULAR SESSION --

Mar 1 HOUS - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Referred to Appropriations.

HB 1477-S by House Committee on Judiciary (originally sponsored by Representatives Kagi and Chase)

Changing regulations for homeowners' associations. Revised for 1st Substitute: Creating a committee to review homeowners' associations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the homeowners' association act committee. The purpose of the committee is to review the homeowners' association act, chapter 64.38 RCW, the uniform common interest ownership act, and current issues concerning homeowners' associations as defined in RCW 64.38.010 including, without limitation, the method and manner of amending restrictive covenants, voting, communications between homeowners' association boards and association members, the budget ratification process, and potential conflicts between the homeowners' association act and other laws that may be applicable to the organizational form of the association.

Requires the committee to deliver a report of its findings and conclusions and any proposed implementing legislation to the appropriate committees of the senate and house of representatives not later than December 31, 2005.

-- 2005 REGULAR SESSION --

Mar 1 JUDI - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1484-S by House Committee on Education (originally sponsored by Representatives Hunter, Jarrett, Haigh, Tom, McDermott, McIntire, Simpson, P. Sullivan, Kagi and Chase)

Authorizing voter approved regular property tax levies for school purposes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent that additional funding provided under this act be used by school districts to provide regional cost-of-living salary supplements to school district employees, as determined through collective bargaining.

Provides that a county may impose a regular property tax levy for the maintenance and operation of schools within the county in accordance with this act.

Provides that, upon receiving resolutions requesting a levy under this act from the board of directors of school districts within the county where the petitioning school districts represent a majority of the students within the county, the county legislative authority shall submit an authorizing proposition to the county voters.

Provides that, if the proposition is approved by a majority of the voters voting on the proposition, the county shall impose a levy not to exceed seventy-five cents per thousand dollars of assessed value.

Requires ballot propositions to conform with RCW 29A.36.210.

Declares that any tax imposed under this act shall be used to provide regional cost-of-living salary supplements to school district employees, as determined through collective bargaining.

-- 2005 REGULAR SESSION --

Mar 1 ED - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Finance.

HB 1538-S by House Committee on Health Care (originally sponsored by Representatives Cody, Campbell and Morrell; by request of Department of Health)

Modifying hospital reporting of restrictions on health care practitioners.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the chief administrator or executive officer of a hospital to report to the department when the practice of a health care practitioner as defined in this act is restricted, suspended, limited, or terminated based upon a conviction, determination, or finding by the hospital that the health care practitioner has committed an action defined as unprofessional conduct under RCW 18.130.180. The chief administrator or executive officer shall also report any voluntary restriction or termination of the practice of a health care practitioner as defined in this act while the practitioner is under investigation or the subject of a proceeding by the hospital regarding unprofessional conduct, or in return for the hospital not conducting such an investigation or proceeding or not taking action. The department will forward the report to the appropriate disciplining authority.

Provides that a hospital, its chief administrator, or its executive officer who files a report under this act is immune from suit, whether direct or derivative, in any civil action related to the filing or contents of the report.

Requires the department to forward reports made under this act to the appropriate disciplining authority designated under Title 18 RCW within fifteen days of the date the report is received by the department.

Provides that the department shall not increase hospital license fees to carry out this act before July 1, 2007.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1569-S by House Committee on Health Care (originally sponsored by Representatives Morrell, Clibborn, Skinner, Schual-Berke, Green, Moeller, Cody, Curtis, Condotta, Chase, O'Brien and Kenney)

Regarding quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that sharing of quality assurance information between boarding homes, nursing homes, coordinated quality improvement plans, peer review organizations, and hospitals will promote safe patient care and ensure consistency of care across organizations and practices.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1591-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Hinkle, Cody, Skinner and Moeller)

Concerning assisted care facilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of health, the department, and the building code council to develop standards for small boarding homes between seven and sixteen beds that address at least the designated issues.

Requires that, based on the standards developed under this act, the department of health and the building code council shall study the risks and benefits of modifying and simplifying construction and equipment standards for boarding homes with a capacity of seven to sixteen persons. The study shall include coordination with the department. The department of health shall report its findings and recommendations to appropriate committees of the legislature no later than December 1, 2005.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1593-S by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Linville, Clements, Pettigrew, O'Brien, Hasegawa, Grant, Kenney, McDermott, McDonald, Chase, Skinner, Williams, Santos, Schual-Berke and Kagi)

Funding farmers market nutrition programs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) The farmers market nutrition programs promote health, alleviate hunger, prevent obesity, and encourage the development of good eating habits by enabling low-income women to purchase locally grown fresh fruit and vegetables for themselves and their young children and low-income and homebound seniors to purchase locally grown fresh fruit and vegetables for themselves through farmers markets, congregate meals sites, and senior housing.

(2) The farmers market nutrition programs support small farmers and rural economies through the promotion of Washington state agriculture.

Provides that, during the 2005-2007 biennium, an additional four hundred thousand dollars from the general fund--state are appropriated to the department of health to maintain 2004 participation levels for the farmers market nutrition program for women, infants, and children.

Provides that, during the 2005-2007 biennium, seven hundred fifty thousand dollars from the general fund--state are appropriated to the department of social and health services to maintain 2004 participation levels for the senior farmers market nutrition program.

-- 2005 REGULAR SESSION --

Feb 28 EDAT - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Referred to Appropriations.

HB 1606-S by House Committee on Health Care (originally sponsored by Representatives Green, Skinner, Cody, Bailey, Clibborn, Williams, Morrell and Schual-Berke)

Providing for fairness in the informal dispute resolution process.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides for fairness in the informal dispute resolution process.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1635-S by House Committee on Local Government (originally sponsored by Representatives Kessler, Haler, Clibborn, Jarrett, O'Brien, Hankins, Ericks, Grant, Buck, Chase and Kenney)

Authorizing local government funding of ambulance and emergency services. Revised for 1st Substitute: Modifying local emergency medical service funding provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to explicitly recognize local jurisdictions' ability and authority to collect utility service charges to fund ambulance and emergency medical service systems that are based, at least in some part, upon a charge for the availability of these services.

Authorizes the legislative authority of any city or town to establish an ambulance service as defined in RCW 18.73.030. However, the legislative authority of the city or town shall not provide for the establishment of an

ambulance service that would compete with any existing private ambulance service, unless the legislative authority of the city or town determines that the city or town, or a substantial portion of the city or town, is not adequately served by an existing private ambulance service, and the existing private ambulance service cannot be encouraged to expand its service by contract entered into between the parties. In determining the adequacy of an existing private ambulance service, the legislative authority of the city or town shall take into consideration objective generally accepted medical standards and reasonable levels of service.

-- 2005 REGULAR SESSION --

Mar 1 LG - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1637-S by House Committee on Local Government (originally sponsored by Representatives Upthegrove, Dickerson, Moeller, Dunshee, McCoy, B. Sullivan, Chase, Williams, Sells, Simpson, Lantz, Hunt, O'Brien and Kagi)

Providing for priority consideration of voluntary buffers in open space plans and public benefit rating systems. Revised for 1st Substitute: Providing for priority consideration of lands used as buffers in planning decisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that county legislative authorities, in adopting open space plans, public benefit rating systems, and assessed valuation schedules, shall give priority consideration to lands used for buffers that: (1) Are not required by law; and

(2) Are planted with or primarily contain native vegetation.

Declares that "priority consideration" as used in this act may include, but is not limited to, establishing classification eligibility and maintenance criteria for buffers meeting the requirements of this act.

Requires county legislative authorities to meet the requirements of this act no later than July 1, 2006, unless buffers already receive priority consideration in the existing open space plans, public benefit rating systems, and assessed valuation schedules.

-- 2005 REGULAR SESSION --

Mar 1 LG - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1639-S by House Committee on Local Government (originally sponsored by Representatives Upthegrove, Dickerson, Moeller, Dunshee, Sells, B. Sullivan, Simpson, Lantz, Williams, O'Brien, Hunt and Chase)

Requiring consideration of water quality during growth management planning.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that, while substantial progress has been made in protecting Washington's environment, more is now known about the significant effects of development along the state's shorelines.

Declares an intent to provide the tools necessary to address the evolving understanding of measures needed to maintain and, when required, enhance water quality for Washington's marine shorelines while accommodating appropriate development consistent with city and county comprehensive plans.

Recognizes the state's growth management act includes a goal and general requirements to protect water quality as well as the state's surface and ground waters, including Puget Sound. The legislature also recognizes these provisions are codified at RCW 36.70A.020(10), 36.70A.030(14)(g), and 36.70A.070(1) and (5)(c)(iv). The legislature further recognizes the growth management act defines this goal and these requirements and gives additional guidance for local governments and the public while allowing for local choices and solutions.

Finds the approach taken in the growth management act will protect our marine waters and assist counties, cities, and the public.

Declares an intent that the provisions of this act be implemented by counties and cities according to the schedule specified in RCW 36.70A.130.

Declares that nothing in this act affects the settlement that led to the adoption of the current shoreline master program guidelines.

Declares that nothing in this act is intended to affect the requirements or provisions of the state's water pollution control laws, chapter 90.48 RCW, or the federal clean water act, 33 U.S.C. Sec. 1251 et seq.

Declares that nothing in this act shall create a new cause of action before the growth management hearings boards for any plans or programs not adopted under chapter 36.70A RCW.

-- 2005 REGULAR SESSION --

Mar 1 LG - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Referred to Appropriations.

Mar 2

HB 1640-S by House Committee on Housing (originally sponsored by Representatives Morrell, Chase, Dunn, McCoy, O'Brien, Appleton and Lantz)

Providing a dispute mechanism for manufactured/mobile home landlord and tenant disputes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that taking legal action against a park owner for violations of the manufactured/mobile home landlord-tenant act can be a costly and lengthy process, and that many people cannot afford to pursue a court process to vindicate statutory rights. Park owners similarly are benefited by having access to a process that resolves disputes quickly and efficiently.

Declares an intent to provide a less costly and more efficient way for manufactured/mobile homeowners and park owners to resolve disputes, and to provide a mechanism for state authorities to quickly locate owners of manufactured housing communities.

Declares an intent to authorize the department of community, trade, and economic development to register mobile home parks or manufactured housing communities, conduct investigations, issue citations, issue cease and desist orders, and impose fines for violations of the manufactured/mobile home landlord-tenant act.

Requires the department to compile the most accurate list possible of all the mobile home parks or manufactured housing communities in the state, the number of lots subject to chapter 59.20 RCW located in each mobile home park or manufactured housing community, and the names and addresses of the owners of these parks. The department shall present this list to the house of representatives housing committee and the senate committee on financial institutions, housing and consumer protection by December 31, 2005. The department is encouraged to work with groups including, but not limited to: The office of community development, mobile homeowners' associations, tenant advocacy groups, park owners' associations, and county assessors to generate the list.

-- 2005 REGULAR SESSION --

Mar 1 HOUS - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1687-S by House Committee on Judiciary (originally sponsored by Representatives Moeller, Talcott, O'Brien, Ericks, Lovick, Tom, Roberts, Appleton, Kagi, Hunter and Chase)

Revising provisions concerning possession of firearms by persons found not guilty by reason of insanity.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions concerning possession of firearms by persons found not guilty by reason of insanity.

Provides that, if a preponderance of the evidence in the record supports a finding that the person petitioning the court has engaged in violence and that it is more likely than not that the person will engage in violence after his or her right to possess a firearm is restored, the person shall bear the burden of proving by clear, cogent, and convincing evidence that he or she does not present a substantial danger to the safety of others.

Provides that no person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm unless the person meets the requirements for the restoration of the right to possess a firearm that would have applied under RCW 9.41.040(4) if the person had been found guilty of the crime.

-- 2005 REGULAR SESSION --

Mar 1 JUDI - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1688-S by House Committee on Health Care (originally sponsored by Representatives Cody, Clibborn, Moeller, Sommers, Kenney and Schual-Berke)

Creating a task force to review the certificate of need program and the health care facilities bonding program. Revised for 1st Substitute: Creating a task force to review health care facilities and services supply issues.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) Since the enactment of certificate of need legislation in 1979, the development of new health care technologies has resulted in significant advancements in the diagnosis and treatment of disease, and has enabled substantial expansion of sites where complex care and surgery can be performed;

(2) New technologies drive substantial health care expenditures. Yet, evidence related to their effectiveness is not routinely or systematically considered in decision making regarding adoption of new technologies. The principles of evidence-based medicine call for comprehensive review of data and studies related to a particular health care service or device, with emphasis given to high quality, objective studies. Findings regarding the effectiveness of these health services or devices are then applied to increase the likelihood that they will be used appropriately;

(3) The standards governing whether a certificate of need should be granted in RCW 70.38.115 focus largely on broad concepts of access to and availability of health services, with only limited consideration of cost-effectiveness. The standards governing whether bonds should be issued to finance development and acquisition of health care facilities and equipment in RCW 70.37.050 are limited to broad concepts of need and feasibility; and

(4) The certificate of need statute and the health care facilities authority bonding program statute should be reexamined and updated to reflect changes in health care delivery and financing since their enactment.

Creates a task force to study and prepare recommendations to the governor and the legislature related to improving and updating the certificate of need program in chapter 70.38 RCW. The report must be submitted to the governor and appropriate committees of the legislature by October 1, 2006.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1689-S by House Committee on Health Care (originally sponsored by Representatives Cody, Moeller, Appleton, Morrell, Clibborn, Green, Kenney, Murray, Schual-Berke and Chase)

Concerning dental health services.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the following practice, act, and operation is excepted from the operation of the provisions of chapter 18.32.030 RCW: The practice of dentistry by individuals in a postdoctoral dental residency program as provided under RCW 18.32.040 for the duration of the program.

Provides that the commission may accept, in lieu of all or part of the written examination required in this act, a certificate granted by a national or regional testing organization approved by the commission.

Authorizes the commission to accept, in lieu of the practical examination required in this act, proof that an applicant has satisfactorily completed a postdoctoral dental residency program approved by the commission, of at least

one year's duration, in a community health clinic that serves predominantly low-income patients or is located in a dental care health professional shortage area in this state, and that includes an outcome assessment evaluation assessing the resident's competence to practice dentistry. The commission shall develop criteria for community clinics to use when sponsoring students in a residency program under this act, including guidelines for the proper supervision of the resident and measuring the resident's competence to practice dentistry.

Provides that the act shall be null and void if appropriations are not approved.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1731-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Hunt, Campbell, Wood, Nixon, Clibborn, Jarrett, McDermott, Blake, Williams, Pettigrew, Dickerson, Dunshee, Lovick, Upthegrove, Moeller, Darneille, Kenney, McCoy, Chase, Ormsby, Simpson, Miloscia and Schual-Berke)

Requiring the removal of mercury components from end-of-life motor vehicles.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to reduce the quantity of mercury released into the environment by: (1) Removing mercury containing light switches and antilock brake sensors from end-of-life vehicles in the state of Washington; and

(2) Creating a collection and recovery program for mercury-added components removed from vehicles in the state of Washington.

Requires manufacturers to, individually or as part of a group, submit to the department for review and approval a plan to remove, collect, and recover mercury-added components before crushing or shredding motor vehicles. Manufacturers are responsible for ensuring that mercury-added components are properly removed, collected, and recovered from end-of-life vehicles.

Requires every effort to be made by vehicle manufacturers to ensure that mercury-added components are removed from vehicles before they are crushed or shredded.

Requires every manufacturer of motor vehicles sold in this state to, individually or as part of a group, submit a plan to the department, within ninety days of the effective date of this act, describing a program meeting the requirements established in this act.

Provides that a manufacturer subject to this act shall, individually or as part of a group, annually report to the department concerning the performance of the manufacturer's plan. The report must include, but is not limited to: (1) A detailed description and documentation of the capture rate achieved and how and where the mercury was recycled or otherwise appropriately managed;

(2) A plan to implement additional or alternative actions, if necessary, to improve the capture rate.

Declares that a violation of this act is punishable by a civil penalty not to exceed one thousand dollars per violation per day. Penalties collected under this provision must be deposited in the state toxics control account created in RCW 70.105D.070. The civil penalties are in addition to

any other penalties authorized under other state or local laws governing the use of mercury in motor vehicles.

Takes effect July 1, 2006.

-- 2005 REGULAR SESSION --

Feb 28 NREP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1733-S by House Committee on Higher Education (originally sponsored by Representatives Sells, Dunn, Campbell, Kenney, Fromhold, Appleton, Ormsby, Ericks, Hasegawa, Williams, Moeller, Darneille, McCoy, Chase, Simpson, Miloscia, Schual-Berke, Quall, McCune and Santos)

Requiring pay equity for community and technical college part-time faculty.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that Washington's community and technical college system is among the most successful in the nation, enrolling more than sixty percent of postsecondary students and geographically dispersed across the state to offer maximum opportunity for residents to pursue basic skills, academic transfer, work force training, and personal enrichment.

Finds that part-time and adjunct faculty play a significant role in the success of the colleges, teaching nearly half of the overall instructional workload.

Recognizes that in 1996, the legislature directed the state board for community and technical colleges to conduct a best practices audit on compensation practices and working conditions for part-time faculty. The best practices task force developed a ten-year plan to improve the salaries, benefits, working conditions, and ratios of part-time to full-time faculty in the college system. Among the goals of the plan was to reach, at the end of ten years, a level of pay equity for part-time faculty. Although state investments have been made in the intervening years, the goal has not been met.

Declares that, as the ten-year anniversary of the best practices task force approaches, the legislature reaffirms its commitment to part-time faculty at community and technical colleges and to the goals of the best practices task force.

Provides that, in the 2005-07 biennial appropriations act and thereafter, the legislature shall appropriate sufficient funds for allocation to the community and technical colleges for the colleges to implement and maintain one hundred percent pro rata pay for part-time faculty. Salary schedules implemented under this act are subject to local collective bargaining.

Provides that the act shall be null and void if appropriations are not approved.

-- 2005 REGULAR SESSION --

Mar 1 HE - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Referred to Appropriations.

HB 1737-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Cody, Clibborn, Fromhold, Bailey, Woods, Moeller, Darneille and Haler)

Establishing the joint public health financing committee.

Directs the task force to recommend a source and level of dedicated funding the legislature should provide for public health services. The recommendation shall include methods to ensure that such funding does not supplant existing federal, state, and local funds received by any element of the public health system.

Requires the task force to complete a report to the governor and the legislature by July 1, 2006.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1738-S by House Committee on Health Care (originally sponsored by Representatives Cody, Bailey, Schual-Berke, Fromhold, Woods, Upthegrove, Williams, Darneille, Kenney, Hunt, Campbell, Simpson, Tom, Hasegawa, Haler and Santos)

Establishing an early detection breast and cervical cancer screening program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to establish an early detection breast and cervical cancer screening program as a voluntary screening program directed at reducing mortalities through early detection to be offered to eligible women only as funds are available.

Requires the department to establish a medical advisory committee composed of interested medical professionals and consumer liaisons with expertise in a variety of areas relevant to breast and cervical health to provide expert medical advice and guidance. The medical advisory committee shall address national, state, and local concerns regarding best practices in the field of early prevention and detection for breast and cervical cancer and assist the early detection breast and cervical cancer screening program in implementing program policy that follows the best practices of high quality health care for clinical, diagnostic, pathologic, radiological, and oncology services.

Authorizes the department of health to administer a state-supported early detection breast and cervical cancer screening program to assist eligible women with preventive health services. To the extent of available funding, eligible women may be enrolled in the early detection breast and cervical cancer screening program and additional eligible women may be enrolled to the extent that grants and contributions from community sources provide sufficient funds for expanding the program.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Referred to Appropriations.

HB 1802-S by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Kilmer, Walsh, Pettigrew, Strow, Wallace, Kenney, Clibborn, Hankins, McCoy, Haler, Blake, McCune, Linville, P. Sullivan, Grant, Kessler, Simpson, Morrell, Williams, O'Brien, Lantz, Eickmeyer, Chase, Haigh, Hasegawa, Hudgins and Moeller)

Providing a property tax exemption for nonprofits that assist small businesses. Revised for 1st Substitute: Authorizing a property tax exemption for certain nonprofit organizations located in economically disadvantaged areas.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that nonprofit organizations and associations engaged in the education, training, and employment of economically disadvantaged people who are involved in the creation and expansion of businesses with marketable products and services in a physical location provide many public benefits to the people of the state of Washington.

Finds that it is in the best interest of the state of Washington to provide a limited property tax exemption for the use of these facilities by certain organizations in order to be self-sustaining for their exempt purposes.

Declares that the real and personal property owned or used by a nonprofit organization is exempt from property taxes levied for any state purpose if the property is: (1) Located in an economically distressed area; and

(2) Used to provide shared use of equipment and work areas and daily technical resources and daily management support services that enable small startup and emerging businesses to become successful.

Provides that, in 2010, any nonprofit organization claiming the exemption under this act must report to the department the number of businesses served by the nonprofit and the types of services provided. Nonprofits failing to report to the department are ineligible for the exemption under this act. The department shall compile the information and share it with the appropriate committees of the legislature.

-- 2005 REGULAR SESSION --

Feb 28 EDAT - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1815-S by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Wallace, Skinner, Pettigrew, Rodne, Kilmer, Ahern, Blake, McCoy, Anderson, Walsh, Lovick, Hudgins, Appleton, Strow, Murray, B. Sullivan, Simpson, Kessler, Williams, O'Brien, Conway, Morris, Linville, Lantz and Moeller)

Modifying the small business incubator program. Revised for 1st Substitute: Creating a competitive grant program for organizations that assist small businesses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates a competitive grant program in the department to assist small business incubators as defined in RCW 43.176.020. The competitive grants shall be allocated equally among zones to the extent possible, and shall be given to a designated nonprofit organization under section 501(c)(3) or (c) (6) of the internal revenue code or a governmental organization, including a port district, to provide business-related training and services as well as technical assistance to start-up or emerging businesses.

- (1) Only ten percent of the grant funds may be used for administration and overhead.
 - (2) Grants shall be awarded for a two-year period.
- (3) Previous grantees are not prohibited from reapplying.

(4) The department shall establish an application process and the appropriate forms. All applications shall include a work plan that shall include, at a minimum, the types of businesses targeted for assistance, the types of training, services, and technical assistance that will be offered, and the performance measures to be applied.

(5) One year after receiving the grant, the grantee shall

submit a progress report to the department.

(6) The department shall submit on a biennial basis, beginning December 1, 2007, a report to the appropriate committees of the legislature. The report shall include, at a minimum: (a) The number of businesses served by industry; (b) the types of services provided; (c) the number of jobs retained as a result of the grant program; (d) the number of jobs created as a result of the grant program; and (e) the names of the grantees and the amounts of the grants.

Appropriates the sum of one million two hundred thousand dollars, or as much thereof as may be necessary, from the general fund to the department of community, trade, and economic development for the fiscal year ending June 30, 2006, to carry out the purposes of this act.

Appropriates the sum of one million two hundred thousand dollars, or as much thereof as may be necessary, from the general fund to the department of community, trade, and economic development for the fiscal year ending June 30, 2007, to carry out the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 28 EDAT - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1820-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representative Kagi)

Limiting liability under the model toxics control act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Pertains to any person who was the former owner of a facility that is residential in nature and was insured by the underground petroleum storage tank insurance coverage provided in chapter 70.148 RCW at the time that ownership in the facility was transferred.

This provision only applies to liability for releases of heating oil, as that term is defined in RCW 70.149.030, from underground storage tanks located at the facility.

-- 2005 REGULAR SESSION --

Feb 28 NREP - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1823-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kretz, Serben, McCune, Armstrong, Rodne, Buri, Clements, Cox, Sump, Haler, Pettigrew, Grant, Holmquist, Walsh, Strow, Haigh and Kristiansen)

Assisting the economic development of underserved rural communities by assisting an owner or operator that has discontinued using an underground petroleum storage tank. Revised for 1st Substitute: Providing financial assistance for

the costs of underground petroleum storage tanks in rural communities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a grant of financial assistance may also be made to an owner or operator that has discontinued using underground petroleum storage tanks due to economic hardship. An owner or operator may receive a grant up to two hundred thousand dollars per retailing location if: (1) The property is located in an underserved rural area;

- (2) The property was previously used by a private owner or operator to provide motor vehicle fuel; and
- (3) The property is at least ten miles from the nearest motor vehicle fuel service station.

Appropriates the sum of one million dollars, or as much thereof as may be necessary, from the pollution liability insurance program trust account for the biennium year ending July 1, 2007, to carry out the purposes of RCW 70.148.130(2)(b). The director or director's designee shall administer the distribution of these funds. A maximum of ten percent of the funds appropriated may be used for administrative costs associated with the program.

Expires June 1, 2007.

-- 2005 REGULAR SESSION --

Mar 1 FII - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Referred to Appropriations.

HB 1829-S by House Committee on Judiciary (originally sponsored by Representatives Appleton, Lantz, Lovick, Hasegawa, Flannigan, Moeller, Darneille, McCoy and Simpson)

Adjusting provisions relating to records of conviction.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requests the judicial information system dissemination subcommittee to examine ways that vacated misdemeanor and felony records can be better protected from public disclosure, including the possibility of sealing records, in order to permit individuals with vacated records to respond to inquiries without fear of being contradicted by background checks that reveal their vacated convictions.

-- 2005 REGULAR SESSION --

Mar 1 JUDI - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Mar 2 Passed to Rules Committee for second reading.

HB 1866-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Williams, Buck, Upthegrove, Blake, Eickmeyer, Nixon and Simpson)

Providing lien authority to the department of ecology to facilitate the recovery of remedial action costs under the model toxics control act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that it is in the public interest for the department to recover remedial action costs incurred in discharging its responsibility under chapter 70.105D RCW,

as these recovered funds can then be applied to the cleanup of other facilities. Thus, in addition to other cost-recovery mechanisms provided under chapter 70.105D RCW, this act is intended to facilitate the recovery of state funds spent on remedial actions by providing the department with lien authority. This will also prevent a facility owner or mortgagee from gaining a financial windfall from increased land value resulting from department-conducted remedial actions at the expense of the state taxpayers.

Provides that, if the state of Washington incurs remedial action costs relating to a remedial action of real property, and those remedial action costs are unrecovered by the state of Washington, the department may file a lien against that real property.

-- 2005 REGULAR SESSION --

Mar 1 NREP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1886-S by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Simpson, B. Sullivan and Chase)

Reducing the environmental impact of cleaning state facilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the adoption of practices to select, procure, and use environmentally preferred products will benefit the environment and the health and safety of workers and visitors to state facilities.

Requires the department of general administration, in consultation with the department of health and the department of ecology, to provide consultation and guidance to state agencies to: (1) Select and procure products and use practices that reduce or minimize the risks of harmful effects to employees, custodial workers, visitors, and other building occupants and to the environment;

- (2) Promote adoption of practices endorsed by this act;
- (3) Recognize state agencies that adopt and implement environmentally beneficial facility and workplace management policies and practices;
- (4) Encourage contractors supplying goods and services to state agencies to select and procure such products; and
- (5) Encourage lessors and building managers who provide leased space to state agencies to select and procure such products.

Encourages local governments and school districts to review their purchasing and use of cleaning products and select those having properties that minimize potential impacts to human health and the environment consistent with this act. The department of general administration shall encourage local governments and school districts that are members of the department of general administration's state purchasing cooperative to achieve the goals of this act.

Requires state agencies to transition to cleaning products having properties that minimize potential impacts to human health and the environment within six months of the effective date of this act in a manner that avoids waste of existing inventories, accommodates establishment of supply chains for new products, enables the training of personnel in appropriate work practices, and allows the phase out of products and practices inconsistent with this act.

-- 2005 REGULAR SESSION --

Feb 28 NREP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 1891-S by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Hinkle, B. Sullivan, Buck and Haler)

Concerning reclaimed water permits.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 90.46.030 and 90.46.040 relating to issuing reclaimed water permits to private utilities.

Provides that, before deciding whether to issue a permit under this act to a private utility, the department of ecology may require information that is reasonable and necessary to determine whether the private utility has the financial and other resources to assure the reliability, continuity, and supervision of the reclaimed water facility.

-- 2005 REGULAR SESSION --

Mar 1 EDAT - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Mar 2 Passed to Rules Committee for second reading.

HB 1896-S by House Committee on Select Committee on Hood Canal (originally sponsored by Representatives Appleton, Eickmeyer, Chase and Haigh)

Limiting geoduck harvest in parts of Hood Canal.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, by December 1, 2007, the department shall conduct a comprehensive survey of all geoducks and sea cucumbers that exist in the Hood Canal. The survey must include all levels and depths of the Hood Canal. The mapping in the survey shall be done in grids, the size of which shall be determined by the department.

Expires July 1, 2008.

-- 2005 REGULAR SESSION --

Mar 1 HOOD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 1923-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives P. Sullivan, Haler, Pettigrew, Walsh, Morrell, Strow, Kilmer, Kessler and Simpson)

Authorizing the creation of certified capital companies to promote investment in start-up and emerging Washington businesses.

Authorizes the creation of certified capital companies to promote investment in start-up and emerging Washington businesses.

Provides that the act shall be null and void if appropriations are not approved.

-- 2005 REGULAR SESSION --

Mar 1 FII - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Finance.

HB 2019-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Green, Schual-Berke, Kenney, Darneille, Cody, Dickerson, Kagi, Hasegawa, McCoy, McDermott, Lantz, Lovick, Hudgins, Conway, Kessler, P. Sullivan, Hunt, Flannigan, Morrell, O'Brien, B. Sullivan, Moeller, Chase, Quall, McIntire, Williams, Kirby, Ericks, Ormsby and Upthegrove)

Offering a small loan borrower a repayment option. Revised for 1st Substitute: Regulating small loans.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires each licensee to conspicuously disclose in writing to the borrower in the loan application that if the origination date of the small loan is within ten days of the borrower's next payday, the borrower has the option of skipping a payday and having the loan repaid out of a subsequent paycheck within forty-five days at no additional fee or interest.

Provides that, in conducting the examination of the business, the director shall investigate and assess the record of performance of the business in meeting the credit needs of the entire community in which the business is located, including the needs of low-and moderate-income neighborhoods. However, the director shall not investigate or assess the record of performance of businesses that do not extend credit.

Provides that, by January 1, 2006, the director shall adopt all rules necessary to implement RCW 31.45.100.

-- 2005 REGULAR SESSION --

Mar 1 FII - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

https://www.ncar.com/by-ncar.c

Authorizing enhanced permit assistance pilot programs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to provide financial assistance to local permitting departments to assist them in enhancing service, improving process efficiency, and increasing predictable permitting outcomes.

Requires the office of regulatory assistance to disseminate information about best permitting practices to local government permitting departments.

Selects two local government permitting offices to participate in an enhanced permit assistance pilot program. Such enhancements may include, but are not limited to: (1) Creation of local and state interagency permit review teams;

- (2) Use of advanced online permit applications;
- (3) Streamlining permit processes;
- (4) Using loaned executives; and
- (5) Additional technical assistance and guidance for permit applicants.

Appropriates the sum of two hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the office of regulatory assistance for the purposes of this act.

-- 2005 REGULAR SESSION --

- Mar 1 LG Majority; 1st substitute bill be substituted, do pass.
- Mar 2 Referred to Appropriations.

HB 2056-S by House Committee on Commerce & Labor (originally sponsored by Representatives Conway and Wood)

Regulating recreational vehicle shows.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, before the department may issue a temporary subagency license to a dealer engaged in offering new or new and used recreational vehicles for sale at a recreational vehicle show, a dealer of new recreational vehicles shall submit to the department a manufacturer's written authorization for the sale and specifying the dates of the show, the location of the show, and the identity of the manufacturer's brand or model names of the new recreational vehicles.

Provides that the department may issue a temporary subagency license only if the location of the show is within fifty miles of the dealer's established place of business or permanent location, or is within the factory designated sales territory for each brand of new recreational vehicle to be offered for sale, and only those specific brands of new recreational vehicles may be offered for sale under the terms of the temporary subagency license.

Finds that the practices covered by this act are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Violations of this act are not reasonable in relation to the development and preservation of business. A violation of this act is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

-- 2005 REGULAR SESSION --

- Mar 1 CL Majority; 1st substitute bill be substituted, do pass.
- Mar 2 Referred to Appropriations.

HB 2060-S by House Committee on Health Care (originally sponsored by Representatives Cody, Schual-Berke, Appleton, Morrell, Moeller, Green, Clibborn, Kenney, Upthegrove, Conway, Chase, Darneille, Haigh and Santos)

Expanding participation in state purchased health care programs.

Expands participation in state purchased health care programs.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 2061-S by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Darneille, Moeller and Dickerson)

Requiring disposition to be held in juvenile court in certain circumstances when a case is automatically transferred to adult court.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires disposition to be held in juvenile court in certain circumstances when a case is automatically transferred to adult court.

Provides that the juvenile court shall have exclusive jurisdiction over the disposition of any remaining charges in any case in which the juvenile is found not guilty in the adult criminal court of the charge or charges for which he or she was transferred, or is convicted in the adult criminal court of a lesser included offense that is not also an offense listed in this act. The juvenile court shall enter an order extending juvenile court jurisdiction if the juvenile has turned eighteen years of age during the adult criminal court proceedings pursuant to RCW 13.40.300.

Provides that, however, once the case is returned to juvenile court, the court may hold a decline hearing pursuant to RCW 13.40.110 to determine whether to retain the case in juvenile court for the purpose of disposition or return the case to adult criminal court for sentencing.

Provides that, while proceedings are pending in a case in which jurisdiction has been transferred to the adult criminal court pursuant to RCW 13.04.030, the juvenile turns eighteen years of age and is subsequently found not guilty of the charge for which he or she was transferred, or is convicted in the adult criminal court of a lesser included offense, and an automatic extension is necessary to impose the disposition as required by RCW 13.04.030(1)(e)(v)(E).

-- 2005 REGULAR SESSION --

Mar 1 JJFL - Majority; 1st substitute bill be substituted, do pass.

Mar 2 Passed to Rules Committee for second reading.

HB 2069-S by House Committee on Health Care (originally sponsored by Representatives Morrell, Hankins, Cody, Sells, Green, Kenney, Moeller, Conway and Chase; by request of Governor Gregoire)

Expanding access to insurance coverage through the small business assist program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that many small employers struggle with the cost of providing employer-sponsored health insurance coverage to their employees and their employees' families, while others are unable to offer employer-sponsored health insurance due to its high cost. Low-wage workers also struggle with the burden of paying their share of the costs of employer-sponsored health insurance, while others turn down their employer's offer of coverage due to its costs.

Finds that limitations on access to health care services for enrollees in the state, such as in rural and underserved

areas, are particularly challenging.

Declares an intent to authorize the administrator to develop alternative purchasing strategies to ensure access to enrollees of the programs administered under this chapter in all areas of the state, including but not limited to: (1) The use of differential rating for managed health care systems based on geographic differences in costs; and

(2) Self-insurance in areas where adequate access cannot be ensured through other options.

Creates the small business assist program under the Washington state health care authority.

Declares an intent that the small business assist program make health care coverage more affordable to small employers, their employees, and dependents. By blending private and public funds through the premium assistance option authorized by this act, the legislature intends to increase the number of low-income workers with health coverage in Washington state. The administrator shall offer two options to small employers: (1) Enrollment as a group in a small business assist plan offered by the administrator under this act; and

(2) Enrollment of low-income employees in the premium assistance option authorized in this act.

Provides that, no later than January 1, 2007, the administrator may accept applications from employers on behalf of themselves and their employees, spouses, and dependent children, as small business assist plan enrollees. Small employers who have not provided employer-sponsored health care coverage for at least six months prior to the date of application may apply for enrollment in the plan.

Requires that, on or before December 15, 2006, the administrator shall provide a report to the governor and relevant policy and fiscal committees of the senate and the house of representatives. The report shall present options for providing a subsidy to small business assist plan enrollees or their employers to help pay the cost of their coverage. The options shall limit subsidies to enrollees with household income up to two hundred percent of the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services.

Provides that, for the fiscal year beginning July 1, 2006, the sum of two million dollars from the health services account - state is provided solely for premium assistance payments under this act. This funding is provided in lieu of enrollment of one thousand persons in the basic health plan subsidized program during state fiscal year 2007.

-- 2005 REGULAR SESSION --

Feb 28 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Appropriations.

HB 2073-S by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Moeller and Chase)

Revising juvenile sentencing alternatives.

Declares that an offender is ineligible for the mental health disposition option under RCW 13.40.167 if: (1) The offender is ordered to serve a disposition for a firearm violation under RCW 13.40.193; or

(2) The offense for which the disposition is being considered is: (a) An offense category A+, A, or A- offense, or an attempt, conspiracy, or solicitation to commit a class A+, A, or A- offense; (b) manslaughter in the first degree (RCW 9A.32.060); (c) a sex or violent offense as defined in RCW 9.94A.030; or (d) any offense category B+ or B offense, when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon.

-- 2005 REGULAR SESSION --

Mar 2 JJFL - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 2078-S by House Committee on Local Government (originally sponsored by Representative

Simpson)

Authorizing deferrals of required comprehensive plan and development regulation updates.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes deferrals of required comprehensive plan and development regulation updates.

-- 2005 REGULAR SESSION --

Mar 1 LG - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 2084-S by House Committee on natural Resources, Ecology & Parks (originally sponsored by Representative B. Sullivan)

Concerning trust land management.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the board of natural resources has set expectations as to how the department of natural resources will implement the sustainable yield harvest plan adopted in 2004 pursuant to RCW 79.10.320. These expectations include the following: (1) Completion of evaluations of the cumulative effects on the harvest plan on a landscape basis;

- (2) Completion of actions to address forest health issues;
- (3) Aggressive implementation of scientific research and monitoring related to the habitat conservation program, including the rapid implementation of the long-term recovery plan for the marbled murrelet;
- (4) The development of management strategies that include consideration of additional ecosystem issues, such as water quality, through the identification and protection of unstable slopes;
- (5) Active conversion of riparian areas from predominantly hardwood composition to a mixture of

conifer and hardwood species, which is intended to result in enhanced habitat for wildlife and fish.

Requires the department of natural resources to submit a report to the appropriate committees of the legislature outlining the success of the department in meeting the expectations of the board of natural resources outlined in this act.

Provides that as part of the report required by this act, the department of natural resources must detail any barriers to completing the expectations of the board of natural resources that arise because of funding inadequacies.

-- 2005 REGULAR SESSION --

Mar 1 NREP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Referred to Capital Budget.

HB 2086-S by House Committee on Select Committee on Hood Canal (originally sponsored by Representatives McCoy, Eickmeyer, Chase, Wallace, Blake, Linville, Morrell, Upthegrove, Appleton and Hunt)

Authorizing extension or expansion of sewage treatment systems in rural areas when necessary to address Hood Canal concerns.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Recognizes the state's growth management act specifies in RCW 36.70A.110(4) that generally it is not appropriate to extend or expand urban governmental services, such as sewer systems, into rural areas.

Recognizes that RCW 36.70A.110(4) contains an exception to this general rule in those limited circumstances shown to be necessary to protect basic public health and safety and the environment when the facilities are financially supportable at rural densities and do not permit urban development.

Declares an intent to provide for an assessment of the efficacy of nitrogen reduction capabilities in existing and alternative on-site sewage treatment systems and an inventory of existing on-site sewage treatment systems in the Hood Canal vicinity to support development of sewage treatment solutions for this area.

Requires the Puget Sound action team to assess the effectiveness of nitrogen treatment provided by currently approved and alternative on-site sewage treatment technologies. The Puget Sound action team may consult with other federal, state, tribal, and local agencies in conducting this assessment. The Puget Sound action team shall submit a report documenting the findings of this assessment to the appropriate committees of the legislature by December 1, 2005.

Requires the Puget Sound action team, in consultation with local and state health agencies, to conduct an inventory of on-site sewage systems operating in the Hood Canal watershed. The Puget Sound action team shall submit the inventory to the appropriate committees of the legislature by December 1, 2006.

-- 2005 REGULAR SESSION --

Mar 1 HOOD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 2097-S by House Committee on Select Committee on Hood Canal (originally sponsored by Representatives Eickmeyer, Upthegrove, Hunt, B. Sullivan, Chase, Ericks, McCoy, Hunter, Pettigrew and Appleton)

Establishing a management program for Hood Canal rehabilitation.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds a need exists for the state to take action to address and resolve Hood Canal's low-dissolved oxygen concentrations.

Finds a need exists to coordinate and manage a rehabilitation program for Hood Canal and to administer funding for projects, studies, and activities related to resolving the Hood Canal's concerns.

Declares an intent to establish this rehabilitation program and create a program manager to coordinate and administer the Hood Canal rehabilitation program and funding.

Establishes a program for rehabilitation of Hood Canal in Jefferson, Kitsap, and Mason counties within the aquatic rehabilitation zone one.

Requires the management board to report its progress on a quarterly basis to the legislative bodies of the participating counties and tribes and the participating state agencies. The management board also shall submit an annual report describing its efforts and successes in implementing the program established according to this act to the appropriate committees of the legislature.

-- 2005 REGULAR SESSION --

- Mar 1 HOOD Majority; 1st substitute bill be substituted, do pass.
- Mar 2 Passed to Rules Committee for second reading.

HB 2107-S by House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Ormsby, Rodne, Williams, Upthegrove and McDermott)

Authorizing a statewide student association. Revised for 1st Substitute: Requiring a study of statewide student organizations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the higher education coordinating board to conduct a study of statewide student associations representing students at public four-year institutions of higher education. The study shall include but not be limited to: Role and mission, funding mechanisms, activities and budget, oversight and accountability, and governance. In conducting the study, the board shall work with representatives from the Washington student lobby, campus student government associations, and the four-year institutions of higher education. The board shall submit a report with alternative models for how Washington students could be represented to the higher education committees of the legislature by December 1, 2005.

-- 2005 REGULAR SESSION --

Mar 1 HE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 2 Passed to Rules Committee for second reading.

HB 2128-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kirby and Roach)

Regulating out-of-state banks, savings banks, and mutual savings banks branches.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes provisions to regulate out-of-state banks, savings banks, and mutual savings banks branches.

-- 2005 REGULAR SESSION --

- Mar 1 FII Majority; 1st substitute bill be substituted, do pass.
- Mar 2 Passed to Rules Committee for second reading.

HB 2276 by Representatives Anderson, Nixon, Tom, Rodne, Ericksen and Priest

Including planning provisions in the growth management act for safe nonmotorized transportation routes to and from schools.

Provides that where applicable, the land use element shall also provide for walkways, trails, paths, and other safe routes for nonmotorized transportation to and from existing and planned schools in areas that are within a one-mile radius of a school.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Local Government.

HB 2277 by Representatives Orcutt, Cox, Ahern, Anderson and Kretz

Regarding minimum admission standards for public four-year institutions of higher education.

Provides that minimum admission standards established by the board shall accommodate the nontraditional course schedules and integrated academic and vocational curricula offered by career and technical education and skills centers so that the standards are not a barrier to admission for students enrolled in these programs.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Higher Education.

HB 2278 by Representatives Dunshee, Jarrett, Kenney, Cox, Ormsby and Newhouse

Prioritizing higher education capital projects.

Requires that, as the project ranking is developed, public four-year institutions shall include staff from the office of financial management and the fiscal committees of the legislature in their discussions.

Requires the legislature to, by concurrent resolution, establish statewide priorities for capital projects for the public four-year institutions. Statewide priorities may include, but are not limited to, expanding capacity in particular academic programs, addressing measurable unmet demand for expanded capacity in different geographic regions of the state, implementing particular models of service delivery, or improving alignment between operating and capital budgets. The statewide priorities may also be

incorporated into performance contracts negotiated between the state and public four-year institutions. The concurrent resolution shall provide guidance for the allocation of points for projects that meet the statewide priorities.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Capital Budget.

HB 2279 by Representatives Ericksen and Linville

Providing for omnibus civil liability reform.

Provides for omnibus civil liability reform.

Directs the department of health to develop, in consultation with the department of revenue, a program to provide business and occupation tax credits for physicians who serve uninsured, medicare, and medicaid patients in a private practice or a reduced fee access program for the uninsured and shall submit proposed legislation to the legislature by December 15, 2005.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Judiciary.

HB 2280 by Representatives Pettigrew and Haler

Funding arts, cultural and heritage institutions, and publicly owned sports and entertainment facilities.

Declares an intent to provide for a stable source of funding for art museums, cultural museums, heritage museums, the arts, and the performing arts in counties with a population of more than one million.

Declares an intent to protect investments in publicly owned multipurpose arenas located in counties with a population of more than one million.

Does not intend to authorize taxes to finance an expansion of a publicly owned multipurpose arena in a county with a population of more than one million.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Finance.

Senate Bills

SB 5014-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Fraser and Swecker)

Modifying county treasurer administrative provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises county treasurer administrative provisions.

-- 2005 REGULAR SESSION --

Mar 2 GO - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

SB 5037-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Prentice, Kohl-Welles, Kline, Deccio and Franklin; by request of Governor Locke)

Providing long-term funding for problem gambling.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides long-term funding for problem gambling.

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5056-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Haugen, Swecker, Prentice, Kastama, Fairley, Honeyford, Zarelli, Hewitt, Berkey, Fraser, Thibaudeau, Jacobsen, McAuliffe, Rasmussen, Kline and Rockefeller)

Creating the department of archaeology and historic preservation.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Creates the department of archaeology and historic preservation.

Abolishes the office of archaeology and historic preservation and its powers, duties, and functions are hereby transferred to the department of archaeology and historic preservation.

Repeals RCW 27.34.210, 27.34.310, and 27.34.320.

-- 2005 REGULAR SESSION --

Mar 3 WM - Majority; 2nd substitute bill be substituted, do pass.

Mar 4 Passed to Rules Committee for second reading.

SB 5064-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Deccio, Jacobsen, Parlette, Kohl-Welles, Weinstein and Keiser)

Studying the use of electronic medical records.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the Washington state health care authority, in collaboration with the advisory board, to develop and implement a strategy for the adoption and use of electronic medical records and health information systems that are consistent with emerging national standards and promote interoperability of health information systems.

Declares that the strategy should: (1) Be informed by research into, and identification of the best practices in, electronic medical records systems and health information technologies, including system design, implementation, operation, and evaluation;

(2) Be designed to promote greater adoption of electronic medical record and health information technologies among the state's health care providers that reduce medical errors and enable patients to make better

decisions about their own health care by promoting secure access to medical records online; and

(3) Seek to promote standards and systems that are compatible with current adopters of electronic medical record systems in Washington.

Requires the authority, in collaboration with the advisory board, to submit an interim status report on its preliminary findings by December 1, 2005. A final report of findings and recommendations shall be submitted by December 1, 2006.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5069-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Keiser, Kohl-Welles, Franklin, Thibaudeau, Brown, Kline and Regala)

Establishing family leave insurance.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares it to be in the public interest to establish a program that: (1) Allows parents to bond with a newborn or newly placed child, and workers to care for seriously ill family members or recover from their own serious health condition:

- (2) Is in addition to those programs offered by employers:
- (3) Provides limited income support for a reasonable period while an individual is away from work on family leave; and
- (4) Reduces the impact on state income support programs by increasing an individual's ability to provide caregiving services for family members while maintaining an employment relationship.

Requires that, beginning September 1, 2006, the department shall report to the legislature by July 1st of each year on projected and actual program participation, premium rates, fund balances, and outreach efforts.

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 And refer to Ways & Means.
 Referred to Ways & Means.

SB 5096-S by Senate Committee on Transportation (originally sponsored by Senators Jacobsen, Esser, Kastama, Swecker, Franklin, Kohl-Welles, Benson, Oke, Schmidt, Sheldon and Roach; by request of Department of Veterans Affairs)

Authorizing the armed forces license plate collection.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the department to issue a special license plate collection, approved by the special license plate review board and the legislature, recognizing the contribution of veterans, active duty military personnel, reservists, and members of the Washington national guard. The collection includes five separate designs, each containing a symbol

representing a different branch of the armed forces to include army, navy, air force, marine corps, and coast guard.

-- 2005 REGULAR SESSION --

Mar 2 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5149-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Kohl-Welles, Thibaudeau, Keiser, Kline and Spanel)

Requiring the disclosure of gifts made by pharmaceutical manufacturers to persons who prescribe prescription drugs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of this act is to require disclosure and reporting of gifts, grants, and gratuities made by pharmaceutical manufacturers, directly or indirectly, to any person or entity authorized to prescribe, dispense, or purchase prescription drugs in Washington.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Minority; without recommendation.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5169-S by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove and Shin)

Authorizing unspent biotoxin testing and monitoring funds to carry over to future biennia.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes unspent biotoxin testing and monitoring funds to carry over to future biennia.

Requires the department of health and the University of Washington to, by December 1st of each year, provide a letter to the relevant legislative policy and fiscal committees on the status of expenditures. This letter shall include, but is not limited to, the annual appropriation amount, the amount not expended, account fund balance, and reasons for not spending the full annual appropriation.

-- 2005 REGULAR SESSION --

Mar 2 WM - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5186-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Kohl-Welles, Keiser, Rockefeller, Doumit, Kline, Regala, McAuliffe, Poulsen, Fraser and Jacobsen)

Increasing the physical activity of the citizens of Washington state.

Declares an intent to promote policy and planning efforts that increase access to inexpensive or free opportunities for regular exercise in all communities around the state.

Provides that, when reviewing competing requests from counties, cities, or towns planning under RCW 36.70A.040, a state agency considering awarding grants or loans for public facilities shall also accord additional preference to those counties, cities, or towns that have: (1) Developed model policies to increase access to public facilities for physical activity;

- (2) Utilized urban planning approaches that promote physical activity;
- (3) Incorporated transportation policy and infrastructure changes to promote nonmotorized transit; and
- (4) Enhanced safety and perceived safety to improve community access to walking and biking.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Minority; without recommendation.
 Passed to Rules Committee for second reading.

SB 5188-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Thibaudeau, Kohl-Welles, Keiser, Kline, Rasmussen, Fairley, Jacobsen and McAuliffe)

Creating the children's environmental health and protection advisory council.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes the children's environmental health and protection advisory council.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

And refer to Ways & Means.

Referred to Ways & Means.

SB 5200-S by Senate Committee on Transportation (originally sponsored by Senators Kastama, Swecker, Haugen, Franklin, Regala, Oke and Shin; by request of Department of Transportation)

Facilitating sealed ocean-going container movement. Revised for 1st Substitute: Creating heavy haul industrial corridors within a port district's property.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department of transportation, with respect to state highways maintained within port district property, to, at the request of a port commission, make and enter into agreements with port districts and adjacent jurisdictions or agencies of the districts, for the purpose of identifying, managing, and maintaining short heavy haul industrial corridors within port district property for the movement of overweight sealed containers used in international trade.

Authorizes the department to issue special permits to vehicles operating in the heavy haul industrial corridor to carry weight in excess of weight limits established in RCW 46.44.041. However, the excess weight on a single axle, tandem axle, or any axle group must not exceed that allowed by RCW 46.44.091 (1) and (2), weight per tire must not exceed six hundred pounds per inch width of tire, and gross vehicle weight must not exceed one hundred five thousand five hundred pounds.

Requires the entity operating or hiring vehicles moving overweight sealed containers used in international trade to pay a fee for each special permit of one hundred dollars per month or one thousand dollars annually, beginning from the date of issue, for all movements under the special permit made on state highways within the heavy haul industrial corridor. Under no circumstances are the for hire carriers or rail customers responsible for the purchase or cost of the permits. All funds collected, except the amount retained by authorized agents of the department under RCW 46.44.096, must be forwarded to the state treasurer and deposited in the motor vehicle fund.

-- 2005 REGULAR SESSION --

Mar 2 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5202-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Parlette, Hewitt, Zarelli, Brandland, Schoesler, Delvin, Mulliken, Johnson, Rasmussen, Benton, Roach, Oke, Benson and Stevens)

Requiring the public employees' benefits board to develop a health savings account option for employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the board to develop a health savings account option for employees that conforms to section 223, Part VII of subchapter B of chapter 1 of the internal revenue code of 1986. The board shall comply with all applicable federal standards related to the establishment of health savings accounts.

Provides that, notwithstanding any other provision of this act, the board shall develop a high deductible health plan to be offered in conjunction with a health savings account developed under this act.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5208-S by Senate Committee on Transportation (originally sponsored by Senators Haugen, Delvin, Weinstein, Esser, Carrell, Keiser, McAuliffe and Rasmussen)

Negotiating state patrol officer wages and wage-related matters.

Amends RCW 41.56.473 and 41.56.475 relating to negotiating state patrol officer wages and wage-related matters.

-- 2005 REGULAR SESSION --

Mar 2 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

SB 5497-S by Senate Committee on Ways & Means (originally sponsored by Senators Delvin, Hewitt, Honeyford, Schoesler, McCaslin, Deccio, Mulliken, Morton, Roach, Swecker and Pflug)

Allowing terminally ill members to remove themselves from their retirement plan.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes terminally ill members to remove themselves from their retirement plan.

-- 2005 REGULAR SESSION --

Mar 3 WM - Majority; 1st substitute bill be substituted, do pass.

Mar 4 Passed to Rules Committee for second reading.

SB 5627-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Johnson and Delvin)

Addressing the failure to respond to citations and notices of infractions. Revised for 1st Substitute: Decriminalizing the refusal to sign a notice of infraction or citation if the notice is issued electronically or by mail.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Decriminalizes the refusal to sign a notice of infraction or citation if the notice is issued electronically or by mail.

-- 2005 REGULAR SESSION --

Mar 2 JUD - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5632-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Schoesler, Hewitt, Mulliken, Parlette, Rasmussen, Roach, Jacobsen, Haugen and Honeyford)

Describing educational visits to small agricultural employers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that, for the purposes of this act, a "small farming operation" means an employer that: (1) Is engaged in the growing of or harvesting of crops, the raising of livestock or poultry, or related activities conducted on sites such as a farm, ranch, orchard, dairy farm, or similar farming operation;

- (2) Employs ten or fewer employees on the day of the visit and at all times during the twelve months preceding the visit; and
- (3) Has not housed any seasonal or temporary farm workers in permanent or temporary structures located on or off the property of the employer during the twelve months preceding the visit.

Declares that "small farming operation" shall be interpreted to be consistent with that term as it is defined or used by the United States department of labor, occupational safety and health administration in the administration of the federal occupational safety and health act (29 U.S.C. chapter 15).

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5637-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Thibaudeau, Franklin, Kline, Prentice, McAuliffe and Kohl-Welles)

Creating the "Health Care Responsibility Act" to expand access to health insurance coverage.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to: (1) Expand access to health care by increasing the number of large employers who provide health benefits to their employees and imposing a fee on large employers who do not offer such benefits. Fee revenues will be used to fund basic health plan coverage for as many employees of employers paying the fee as the fee revenues can support. However, consistent with this act, large employers can reduce or eliminate their fee through expenditures on health services for their employees;

(2) Maintain existing protections in law for persons eligible for medical assistance programs, the state children's health insurance program, and the basic health plan.

Declares it is not the intent to influence the content or administration of employee benefit plans, and the legislature is neutral as to whether large employers choose to pay the tax or provide health services to their employees and dependents.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5649-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Deccio, Thibaudeau, Parlette and Benson)

Providing for fairness in the informal dispute resolution process.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides for fairness in the informal dispute resolution process.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

SB 5650-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Deccio, Keiser, Parlette, Kohl-Welles, Benson and McAuliffe)

Regulating adult family home staff.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department to implement, as part of the required training and continuing education, food safety training integrated into the curriculum that meets the standards established by the state board of health pursuant to chapter 69.06 RCW.

Provides that individual food handler permits are not required for persons who begin working in an adult family home after June 30, 2005, and successfully complete the basic and modified-basic caregiver training if they receive information or training regarding safe food handling practices from the employer before providing food handling or service for the adult family home clients. Documentation that the information or training has been provided to the individual must be kept on file by the employer.

Provides that licensed adult family home providers or employees who hold individual food handler permits before June 30, 2005, must maintain continuing education of onehalf hour per year to maintain food handling and safety training.

Provides that, except for the food safety training standards adopted by the state board of health pursuant to RCW 69.06.010, chapter 69.06 RCW is not applicable to persons who work in adult family homes and successfully complete training and continuing education as required in this act.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

SB 5663-S by Senate Committee on Ways & Means (originally sponsored by Senators Rasmussen, Schoesler, Doumit, Honeyford, Parlette, Jacobsen and Mulliken)

Changing the tax exemptions for machinery and equipment used to reduce agricultural burning.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Repeals and narrows tax incentives for machinery and equipment used to reduce agricultural burning of cereal grains and grass grown for seed for air quality purposes.

Repeals RCW 82.08.840, 82.12.840, 82.04.4459, and 84.36.580.

-- 2005 REGULAR SESSION --

Feb 18 ARED - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Referred to Ways & Means.

Mar 3 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5665-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Parlette, Schoesler, Hewitt, Honeyford and Mulliken)

Requiring workers to report accidents. Revised for 1st Substitute: Requiring reporting of industrial insurance injuries.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions requiring reporting of industrial insurance injuries.

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5684-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Brown, Kline, Hargrove, McAuliffe, Stevens, Keiser, Thibaudeau, Fairley, Weinstein, Spanel and Rasmussen)

Adopting a wage ladder for child care workers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to increase wages to child care workers through establishing a child care career and wage ladder that provides increased wages for child care workers based on their work experience, level of responsibility, and education. To the extent practicable within available funds, this child care career and wage ladder shall mirror the successful child care career and wage ladder pilot project operated by the state between 2000 and 2003.

Declares that, while it is the intent to establish the vision of a statewide child care career and wage ladder that will enhance employment quality and stability for child care workers, the legislature also recognizes that funding allocations will determine the extent of statewide implementation of a child care career and wage ladder.

Requires the division of child care and early learning in the department of social and health services to establish a child care career and wage ladder in licensed child care centers that meet the following criteria: (1) At least ten percent of child care slots are dedicated to children whose care is subsidized by the state or any political subdivision thereof or any local government;

(2) The center agrees to adopt the child care career and wage ladder, which, at a minimum, shall be at the same pay schedule as existed in the previous child care career and wage ladder pilot project; and

(3) The center meets further program standards as established by rule pursuant to this act.

Appropriates the sum of five million dollars, or as much thereof as may be necessary, from the general fund to the department of social and health services for the fiscal year ending June 30, 2006, to carry out the purposes of this act.

Appropriates the sum of five million dollars, or as much thereof as may be necessary, from the general fund to the department of social and health services for the fiscal year ending June 30, 2007, to carry out the purposes of this act.

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Referred to Ways & Means.

SB 5687-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Deccio, Thibaudeau, Keiser and Benson)

Changing the number of residents allowed to reside in an adult family home.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Changes the number of residents allowed to reside in an adult family home from six to eight adults.

Requires all adult family homes licensed for more than six clients to install smoke detectors. Smoke detectors must be installed in each sleeping room and installed at a central point in a corridor or area which gives access to each separate sleeping room. All smoke detectors located inside adult family homes shall be interconnected so as to sound an alarm from all smoke detectors located in the home when any one detector is activated.

Provides that adult family homes licensed for more than six clients shall have their interconnected smoke detectors monitored by a central monitoring company and the adult family home provider shall maintain the central monitoring service so long as the home is licensed as an adult family home

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
 Minority; without recommendation.
 Passed to Rules Committee for second reading.

SB 5698-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Benson, Keiser, Parlette, Deccio and Rasmussen)

Regarding quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that sharing of quality assurance information between boarding homes, nursing homes, coordinated quality improvement plans, peer review organizations, and hospitals will promote safe patient care and ensure consistency of care across organizations and practices.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5703-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Brandland, Spanel and Brown)

Regarding medical assistance and physician recruitment.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to preserve the number of private medical practitioners providing essential safety net care to uninsured and medicaid patients by addressing barriers to private practice participation. Private practitioners are critical to preserving health care access for lower-income patients.

Declares an intent to provide targeted economic incentives for private provider participation in safety net care and calls for the streamlining of medicaid administrative procedures and a reduction of the administrative burden on private medical providers.

Provides that eligibility review periods for children and pregnant women eligible for medical assistance as defined in RCW 74.09.510, children eligible for the children's health program as defined in RCW 74.09.415, and children eligible for the children's health insurance program as defined in RCW 74.09.450 shall be no more frequent than every twelve months.

Provides that the department shall require that plans have up-to-date eligibility information, including plan and primary care provider status, accessible to providers at all times. Payments and authorizations shall be made based on this information.

Provides that the department shall require health care contractors to have primary care and specialty care networks in place within the geographic service area and that the contractors verify that those networks are up-to-date and that the information is accessible to primary care providers.

Provides that the department shall require health care contractors to develop policies and practices to support collaborative efforts to promote a new model of chronic disease management.

Provides that the department of revenue shall develop, in consultation with the department of health, the department of social and health services, and the health care authority, a program to provide business and occupation tax credits for physicians who serve uninsured or state-purchased low-income health care patients in a private practice and shall submit proposed legislation to the legislature by December 15, 2005.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
Minority; without recommendation.
Referred to Ways & Means.

SB 5704-S by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Pridemore, Schoesler, Schmidt and McAuliffe)

Regarding school district bidding requirements.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions regarding school district bidding requirements.

-- 2005 REGULAR SESSION --

Mar 2 EKHE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 5708-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Finkbeiner, Thibaudeau, Keiser, McAuliffe and Kohl-Welles)

Regarding the administration of epinephrine by emergency medical technicians.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the emergency medical technician may administer epinephrine.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5709-S by Senate Committee on Transportation (originally sponsored by Senators Parlette, Swecker, Honeyford, Mulliken, Sheldon and Benton)

Exempting vehicles in inaccessible national recreation areas from license renewal fees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that after initial vehicle registration, motor vehicles operated solely within a national recreation area that is not accessible by a state highway are exempt from annual registration renewal and the associated fees under RCW 46.16.0621.

-- 2005 REGULAR SESSION --

Mar 2 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 5717-S by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Rockefeller, Benton, Fairley, Oke, Keiser, Zarelli, Shin, Rasmussen and Kohl-Welles)

Providing a funding formula for skill centers. Revised for 1st Substitute: Authorizing incentive funds to maintain or increase the number of students in skill centers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that skill centers provide students with high quality educational opportunities through programs that combine academics with career and technical education.

Finds that skill centers provide extremely valuable support to local businesses seeking skilled entry-level employees and to communities attempting to enhance local economic development opportunities.

Finds that skill centers permit a number of school districts to cooperatively offer programs that the school districts cannot provide individually.

Provides that, to the extent that funds are appropriated, the superintendent of public instruction shall provide incentive funds to school districts that maintain or increase the number of students attending skill centers. The purpose of the funds is to help high schools maintain programs for students remaining in the high schools in the district and to provide incentives to send students to skill centers.

-- 2005 REGULAR SESSION --

Mar 2 EKHE - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
On motion, referred to Rules.

SB 5720-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Keiser, Franklin and McAuliffe)

Eliminating employee noncompetition agreements in the broadcasting industry. Revised for 1st Substitute: Placing limitations on employee noncompetition agreements in the broadcasting industry.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, if an employee subject to an employee noncompetition agreement is terminated or laid off by action of the employer, the noncompetition agreement is void and unenforceable.

Declares that nothing in this act restricts the right of an employer to protect trade secrets or other proprietary information by lawful means in equity or under applicable law.

Declares that nothing in this act has the effect of terminating, or in any way modifying, any rights or liabilities resulting from an employee noncompetition agreement that was entered into before December 31, 2005.

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Passed to Rules Committee for second reading.

SB 5722-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Thibaudeau, McAuliffe, Kline, Franklin, Prentice, Kastama, Rasmussen and Kohl-Welles)

Concerning small employers and the basic health plan. Revised for 1st Substitute: Expanding access to insurance coverage through the small business assist program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that many small employers struggle with the cost of providing employer-sponsored health insurance coverage to their employees and their employees' families, while others are unable to offer employer-sponsored health insurance due to its high cost. Low-wage workers also struggle with the burden of paying their share of the costs of employer-sponsored health insurance, while others turn down their employer's offer of coverage due to its costs.

Finds that limitations on access to health care services for enrollees in the state, such as in rural and underserved areas, are particularly challenging. It is the intent of the legislature to authorize the administrator to develop alternative purchasing strategies to ensure access to enrollees of the programs administered under this act in all areas of the state, including but not limited to: (1) The use of differential rating for managed health care systems based on geographic differences in costs; and

(2) Self-insurance in areas where adequate access cannot be ensured through other options.

Establishes the small business assist program. The legislature intends that the small business assist program make health care coverage more affordable to small employers, their employees, and dependents. By blending private and public funds through the premium assistance option authorized by this section, the legislature intends to increase the number of low-income workers with health coverage in Washington state. The administrator shall offer two options to small employers: (1) Enrollment as a group in a small business assist plan offered by the administrator under this act; and

(2) Enrollment of low-income employees in the premium assistance option authorized in this act.

Provides that, on or before December 15, 2006, the administrator shall provide a report to the governor and relevant policy and fiscal committees of the senate and the house of representatives. The report shall present options for providing a subsidy to small business assist plan enrollees or their employers to help pay the cost of their coverage. The options shall limit subsidies to enrollees with household income up to two hundred percent of the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services.

-- 2005 REGULAR SESSION --

Mar 2 HEA - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5724-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Benson, Franklin, Benton, Keiser, Esser, Pridemore, Kline, Roach, Regala and McAuliffe)

Requiring collective bargaining regarding hours of work for individual providers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires collective bargaining regarding hours of work for individual providers.

-- 2005 REGULAR SESSION --

Mar 2 LCRD - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

And refer to Ways & Means.

Referred to Ways & Means.

SB 5730-S by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Doumit, Zarelli, Eide, Shin, Rasmussen and Mulliken)

Reducing the impact of administrative rules on small businesses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs an agency to consider, without limitation, each of the following methods of reducing the impact of the proposed rule on small businesses: (1) Reducing, modifying, or eliminating substantive regulatory requirements;

- (2) Simplifying, reducing, or eliminating recordkeeping and reporting requirements;
 - (3) Reducing the frequency of inspections;
 - (4) Delaying compliance timetables;
- (5) Reducing or modifying fine schedules for noncompliance;
- (6) Establishing performance standards for small businesses to replace design or operational standards required in the proposed rules; and
- (7) Any other mitigation techniques suggested by small businesses or their advocates.

Provides that, if the agency determines it cannot reduce the disproportionate impact of a rule on small businesses, the agency shall provide a clear explanation of why it has made that determination and include a statement to that effect with the notice required by RCW 34.05.320.

Provides that any state agency receiving separate written requests by more than twenty persons, excluding identical form letter-type requests, within one hundred twenty calendar days to review an existing rule shall review that rule in accordance with the criteria established in this act within ninety days of receiving the twenty-first request and complete the review within one hundred eighty days from commencing the review.

Requires the rules review committee to establish a small business advisory board to ensure that small business concerns are reflected in the rules review process.

-- 2005 REGULAR SESSION --

Mar 2 ITED - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6077 by Senators Rasmussen, Schoesler, Mulliken and Parlette

Providing a sales tax exemption for trail grooming.

Declares that the tax levied by RCW 82.08.020 does not apply to sales of trail grooming services to the Washington state parks and recreation commission. For the purposes of this act, "trail grooming" means the activity of snow compacting, snow redistribution, or snow removal on state-owned trails.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Ways & Means.

SB 6078 by Senators Regala and Kohl-Welles

Controlling state expenditures.

Finds that the citizens of the state benefit from a state expenditure limit that ensures that the state budget operates with stability and predictability, while encouraging the establishment of budget priorities and a periodic review of state programs and the delivery of state services. A state expenditure limit can prevent budgeting crises that can occur because of increased spending levels during periods of

revenue surplus followed by drastic reductions in state services in lean years. The citizens of the state are best served by an expenditure limit that keeps pace with the growth in the state's economy yet ensures budget discipline and taxpayer protection.

Finds that modifications to the state expenditure limit, after ten years of experience following the initial implementation of Initiative Measure No. 601, will recognize the economic productivity of the state's economy and better balance the needs of the citizens for essential government services with the obligation of the legislature for strict spending accountability and protection of its taxpayers.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Ways & Means.

SB 6079 by Senators Schmidt, Zarelli, Hewitt and Mulliken

Limiting the role of the pension funding council.

Limits the role of the pension funding council.

-- 2005 REGULAR SESSION --

Mar 4 First reading, referred to Ways & Means.

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SB 5047 Supp. 3	SB 5112-S Supp. 19		HB 1111 Supp. 5
SB 5048 Supp. 3	SB 5113 Supp. 4		HB 1112 Supp. 5
SB 5049 Supp. 3	SB 5114 Supp. 4		HB 1113 Supp. 5
SB 5050 Supp. 3	SB 5115 Supp. 4	HB 1050 Supp. 3	HB 1113-S Supp. 21
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SB 5052 Supp. 3	SB 5116 Supp. 4	HB 1050-S2 Supp. 33	HB 1114-S Supp. 27
SB 5053 Supp. 3	SB 5117 Supp. 4	HB 1051 Supp. 3	HB 1115 Supp. 5
SB 5054 Supp. 3	SB 5118 Supp. 4		HB 1115-S Supp. 28
SB 5054-S Supp. 32	SB 5119 Supp. 4		HB 1116 Supp. 5
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SB 5056 Supp. 3	SB 5121 Supp. 4	HB 1054-S Supp. 20	HB 1118 Supp. 5
SB 5056-S Supp. 20	SB 5122 Supp. 4	HB 1055 Supp. 3	HB 1119 Supp. 5
SB 5057 Supp. 3	SB 5122-S Supp. 33	HB 1055-S Supp. 14	HB 1120 Supp. 5
SB 5058 Supp. 3	SB 5123 Supp. 4		HB 1121 Supp. 5
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SB 5060 Supp. 3	SB 5124 Supp. 4	HB 1058 Supp. 3	HB 1123 Supp. 6
SB 5061 Supp. 3	SB 5125 Supp. 4	HB 1059 Supp. 3	HB 1124 Supp. 6
SB 5061-S Supp. 23	SB 5125-S Supp. 37		HB 1125 Supp. 6
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SB 5063 Supp. 3	SB 5126 Supp. 4		HB 1127 Supp. 6
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SB 5067 Supp. 3	SB 5130-S Supp. 37		HB 1132 Supp. 6
SB 5068 Supp. 3	SB 5131 Supp. 5	HB 1064-S Supp. 24	HB 1132-S Supp. 27
SB 5069 Supp. 3	SB 5132 Supp. 5	HB 1064-S Supp. 11	HB 1133 Supp. 6
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SB 5071 Supp. 3	SB 5133 Supp. 5	HB 1066 Supp. 3	HB 1134 Supp. 6
SB 5072 Supp. 3	SB 5134 Supp. 5		HB 1135 Supp. 6
SB 5073 Supp. 3	SB 5135 Supp. 5		HB 1136 Supp. 6
SB 5074 Supp. 3	SB 5136 Supp. 5	HB 1069 Supp. 3	HB 1137 Supp. 6
SB 5075 Supp. 3	SB 5137 Supp. 5	HB 1070 Supp. 4	HB 1137-S Supp. 24
SB 5076 Supp. 3	SB 5138 Supp. 5	HB 1071 Supp. 4	HB 1138 Supp. 6
SB 5077 Supp. 3	SB 5139 Supp. 5	HB 1071-S Supp. 37	HB 1139 Supp. 6
SB 5077-S Supp. 37	SB 5139-S Supp. 18	HB 1072 Supp. 4	HB 1140 Supp. 6
SB 5078 Supp. 3	SB 5140 Supp. 5	HB 1073 Supp. 4	HB 1141 Supp. 6
SB 5079 Supp. 3	SB 5140-S Supp. 20	HB 1074 Supp. 4	HB 1142 Supp. 6
SB 5080 Supp. 3	SB 5141 Supp. 5	HB 1075 Supp. 4	HB 1143 Supp. 6
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SB 5085-S Supp. 15	SB 5146-S Supp. 27		HB 1149 Supp. 6
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SB 5087 Supp. 4	SB 5148 Supp. 5	HB 1082 Supp. 4	HB 1150-S Supp. 32
SB 5088 Supp. 4	SB 5149 Supp. 5		HB 1151 Supp. 6
SB 5089 Supp. 4	SB 5150 Supp. 5		HB 1151-S Supp. 27
SB 5090 Supp. 4	SB 5150-S Supp. 35	HB 1084-S Supp. 30	HB 1152 Supp. 6
SB 5091 Supp. 4	SB 5151 Supp. 6		HB 1152-S Supp. 20
SB 5092 Supp. 4	SB 5151-S Supp. 14		HB 1152-S2 Supp. 34
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SB 5105 Supp. 4	SB 5164 Supp. 6	HB 1102 Supp. 5	HB 1167 Supp. 7
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SB 5107 Supp. 4	SB 5166 Supp. 6	HB 1104 Supp. 5	HB 1168-S2 Supp. 25
SB 5107-S Supp. 32	SB 5166-S Supp. 37		HB 1169 Supp. 7
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SB 5192 Supp. 6	SB 5258 Supp. 8	HB 1196-S Supp. 21	HB 1259 Supp. 8
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SB 5219 Supp. 7	SB 5282 Supp. 8	HB 1218 Supp. 7	HB 1283 Supp. 9
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